

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16786 of 2023

=====

Sita Ram Jha S/o Late Gorakh Nath Jha @ Gorakh Jha, resident of village -
Hasni, P.S.- Mohiuddin Nagar, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub-Divisional Magistrate, Patori, District - Samastipur.
4. The Circle Officer, Mohiuddin Nagar, District - Samastipur.
5. The Station House Officer, P.S. - Mohiuddin Nagar District - Samastipur.
6. Devendra Sharma, S/o Late Ram Bilas Sharma, resident of village - Hasni,
P.S. - Mohiuddin Nagar, District - Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur, Advocate
For the Respondent/s : Mr.Md. Raisul Haque (SC-10)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2024 The present writ petition has been filed
seeking the following relief:-

*“1. That this is an application for
issuance of a writ in the nature of
Mandamus commanding and
directing the respondent authorities
to remove the encroachment caused
by the private respondent no. 6
namely Devendra Sharma on the
road i.e. Public Land, situated at the
adjacent southern portion of the
land of the petitioner bearing Plot
Nos. 349 & 323 falling under Khata
Nos. 110 & 93 respectively*



measuring a total area of 33.6 decimals, situated under Mauza Hansi, Circle and P.S.- Mohinuddin Nagar in the District of Samastipur, having its boundary as from North-Ram Umed Mahto, Souh-Road, East-Border of Mauza Mogalchak & West-Dinesh Sharma by erecting some thatched houses / PALANI and keeping bovines thereon, causing hindrance to the persons passing through the aforesaid thoroughfare and/or for issuance of any other writ / writs, order / orders, direction/directions for which the petitioner may be found legally entitled to be in the facts and circumstances of the case.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Mohiuddin Nagar, District-Samastipur, to consider the petition filed by the petitioner on 11.09.2023, which has been annexed as Annexure-P/1 to the present writ petition and take appropriate action in accordance with law, forthwith.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid petition is still pending consideration, the



same would definitely be considered and appropriate action, in accordance with law, shall be taken forthwith. It is directed accordingly.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

